

### REMARKS

Applicants express appreciation for the further interview recently granted to applicants' representative. As presented herein for reconsideration, claims 35 and 36 have been amended as proposed at the interview. Thus, by this paper, claims 4, 13, 16 and 35 - 40 are pending, of which claims 35 (directed to a method) and 36 (directed to a corresponding computer program product) are the independent claims.

In response to applicants' amendments filed in answer to the last Office Action, all rejections of record were withdrawn. However, in the present Office Action new grounds of rejection have been asserted based on a newly found reference, U.S. Pat. No. 6,134,582 (Kennedy). Accordingly, the claims currently are rejected under 35 U.S.C. § 103(a) as obvious over Kennedy, which is the sole basis for rejection of the claims.

Applicants' invention is directed to a method and a corresponding computer program product for implementing the method, which are adapted for use in a computing network comprised of a plurality of interconnected servers for transferring messages among the interconnected servers. At least some of the servers use a communication protocol that is not configured for communicating filtering information to the server, and the computing network also comprises a plurality of client side computing devices for accessing the servers and downloading messages.

As claimed, the method uses client-side tracking mechanisms to allow a client side computing device to efficiently determine which messages need to be downloaded for filtering at the client side computing device, so that essentially most of the filtering operations occur *before* the messages are downloaded.

Specifically, the method comprises setting at a client side computing device a filter criteria for new messages, then receiving at the client side computing device a list that identifies all messages maintained at a server (the server uses a communication protocol that is not configured for communicating filtering information to the server). The client side computing device then retrieves a message store table that contains *only those* records identifying messages that have met the filter criteria, and marks each record with a flag. Next, the client side computing device retrieves a checked table that contains *only those* records identifying messages that have not met the filter criteria, and marks each record with a flag. The messages in the

received list (which identifies all messages currently stored on the server for the client device) are then compared with the records contained in the message store table and the checked table.

All messages from the list that do not already correspond to a record in either the message store table or the checked table are then downloaded, so that download time is limited only to *all new messages as determined from the message store table and the checked table*. Thus, most filtering occurs before the messages are downloaded.

Flags for all records contained in either the message store table or the checked table that already correspond to those messages identified in the list that have been previously identified in either of the tables are then unmarked. All new messages downloaded are then checked against the filter criteria, and either added as a new unmarked record to the message store table if the filter criteria is met, or else added as a new unmarked record to the checked table if the filter criteria is not met. Lastly, any remaining records with marked flags in the message store table and the checked table are removed from the tables.

Kennedy describes a method for managing electronic mail messages using a client-based database. Kennedy notes that with an increased trend in reliance on electronic messaging, due to increased use of e-mail to manage many functions, such as messaging, calendar scheduling, contact management etc., a user can become inundated with messages. In response to this problem, Kennedy proposes the use of a database, stored at the client, to maintain a central archive of message-related information in connection with messages located on the server. During client-server sessions, the database is consulted for managing the messages. Col. 2 lines 40 – 67 and col. 3 lines 1 – 3.

Kennedy does not disclose, however, using separate tables as claimed by applicants, namely, a message store table that contains *only those* records identifying messages that have met filter criteria set at the client, and a checked table that contains *only those* records identifying messages that have not met the filter criteria.

The client-based database described by Kennedy is used in a manner that is very different from how the two tables are used by applicants' method to manage messaging. Note that while Kennedy's database may contain information corresponding to messages that have been filtered for downloading based on size criteria (col. 17 lines 35 – 50), the database is not limited to information corresponding to *only those* messages which meet such filter criteria. The same is true for the checked table as claimed, which contains *only those* records identifying messages

that have not met the filter criteria. Nothing in Kennedy addresses anything akin to the claimed checked table criteria.

Moreover, and in any event, downloading "only new messages that meet the size restriction criteria" as asserted in the Office Action (p. 5 lines 14 – 15) is not at all the same, and indeed contrary to, "downloading to an inbox at the client side computing device *all* messages from the list that do not already correspond to a record in either the message store table or the checked table, so that download time is limited to *all new messages* [e.g., irrespective of whether they meet the filter criteria] as determined from the message store table *and* the checked table" (claims 35 and 36, emphasis and bracketed statement added), with all such new messages then being sorted into records for either the message store table for messages meeting the client's filter criteria, or else the checked table for messages checked but not meeting the criteria.

As generally acknowledged at the Interview, the claims appear to distinguish over the prior art and rejections of record.<sup>1</sup> Thus, for at least the reasons noted, the claims are patentable over Kennedy and the other prior art of record, and thus favorable reconsideration and allowance is respectfully requested.

In the event the Examiner finds any remaining impediment to allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 18<sup>th</sup> day of August, 2008.

Respectfully submitted,



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<sup>1</sup> The Examiner noted in the Interview Summary that the "presented claim amendments seem to distinguish over the prior art of record [although a] decision regarding patentability of the claimed invention will be made upon further search of the prior art and consideration of the formal amendments to be submitted. . . ." (Bracketed statement added).